



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, JANUARY 19, 2005

10:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **January 19, 2005**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. [TR04-129. Tree Removal Permit](#) to remove one Aleppo Pine tree (94-inches in circumference) on a 0.10 gross acre site in the R-2 Two-Family Residence Zoning District, located at/on the west side of Elm Street approximately 140 feet southerly of West Taylor Street (665 ELM ST) (Kasrel Gene, Owner). Council District 6. CEQA: Exempt. Deferred from 1/12/05.
- b. [TR04-152. Tree Removal Permit](#) to remove one ash tree measuring 141" in circumference on a 0.321 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1153 Calle Ventura (Blair Lance L And Charlotte E, Owner). Council District 10. CEQA: Exempt.
- c. [TR04-146. Tree Removal Permit](#) to remove one Pine tree 96 inches in circumference on a 0.18 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1579 Daphne Drive (Li Bin Song And Yaowei, Owner). Council District 1. CEQA: Exempt.
- d. [TR04-144. Tree Removal Permit](#) to remove one tree with 5 trunks on a commercial restaurant site on a 0.39 gross acre site in the DC Downtown Primary Commercial Zoning District, located at the Old Spaghetti Factory site. (51 N SAN PEDRO ST) (Dussin Family Holdings Llc, Owner). Council District 3. CEQA: Exempt.

- e. [TR04-143. Tree Removal Permit](#) to remove one Pine tree/108 inches in circumference that was removed without the benefit of permits on a 0.44 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at/on the 927 Juliet Avenue (Wright John P And Kelly, Owner). Council District 5. CEQA: Exempt.
- f. [PDA99-083-01. Planned Development Permit Amendment](#) for tree removal of one Eucalyptus 75" in circumference on a 6.98 gross acre site in the A(PD) Planned Development Zoning District, located at/on the southwest corner of Sands Drive and Canoas Gardens Avenue (9305 TRACT) (Sands Drive San Jose LLC c/o Mike Rider, Owner). Council District 6. CEQA: Exempt.
- g. [TR04-138. Tree Removal Permit](#) request to remove one Pine tree (60 inches in circumference) on a 0.31 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at 4996 Eberly Drive (Maria Roy, Owner). Council District 2. CEQA: Exempt.
- h. [H04-049. Site Development Permit](#) to allow demolition of an existing commercial building and the construction of two new retail/office buildings (approximately 11,697 sq.ft.) on a 0.90 gross acre site in the CG General Commercial Zoning District, located on the west side of Winchester Boulevard approximately 270 feet southerly of Riddle Drive (745 S.WINCHESTER BL) (Del Monaco Michael Sr Trustee & Et Al, Owner). Council District 1. SNI: Winchester. CEQA: Exempt. Deferred from 1/12/05.

The consent calendar is now closed.

3. [PUBLIC HEARING](#)

- a. [PT04-083. Vesting Planned Development Tentative Condominium Map](#) to subdivide one parcel into one lot for residential and commercial condominium units on a 5.52 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of South Winchester Boulevard and Olsen Drive (FRIT San Jose Town & Country Village LLC, Developer). Council District 6. SNI: None. CEQA: Town and Country Village Final EIR.
- b. [T04-113. Tentative Map Permit](#) to reconfigure 1 parcel into 1 lot to allow conversion of existing apartments into 3 single-family attached residential condominium units on a 0.16 gross acre site in the R-M Multiple Residence Zoning District, located at/on the west side of Revey Avenue approximately 120 feet north of Bailey Avenue (175 REVEY AV) (Khidr Mohamed S And Nabila S Trustee, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.

This concludes the Planning Director's Hearing for January 19, 2005. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/index.htm>
PUBLIC INFORMATION COUNTER
(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

January 12, 2005

PUBLIC HEARINGS

1. DEFERRALS

- | | | |
|----|----------|---------------------|
| a. | TR04-129 | DEFERRED TO 1/19/05 |
| b. | H04-049 | DEFERRED TO 1/19/05 |

1. CONSENT CALENDAR

- | | | |
|----|--------------|----------|
| a. | TR04-119 | APPROVED |
| b. | TR04-133 | APPROVED |
| c. | TR04-136 | APPROVED |
| d. | PDA91-093-01 | APPROVED |
| e. | HP04-006 | APPROVED |
| f. | PT04-119 | APPROVED |

2. PUBLIC HEARING

- | | | |
|----|----------|----------|
| a. | H04-051 | APPROVED |
| b. | SF04-021 | APPROVED |
| c. | SP03-052 | APPROVED |
| d. | H04-033 | APPROVED |